1908-015 Chancery Causes: Cora Carter vs. Oliver Carter
Lee Co.

Roop, Dixon, Bailey

CA - Divorce

To the Hon. H. A. W. Skeen, Judge of the Circuit Court for Lee County, Virginia.

Humbly complaining, your complainant, Cora Carter, would respectfully represent and show unto your Honor that she on the _____ day of _____ 1900, was married to one, Oliver Carter. Her maiden name being Cora Roop. That they lived together as husband and wife for a short time. That during that time, she was to him a loving, dutiful and obedient wife, he on the contrary, he was abusive, and failed to support and maintain your complainant.

Your complainant alleges that she is a resident of Lee County, and has been for more than Twelve months, before the institution of this suit. In fact, has lived in Lee County, Va. all her life, having been born and raised within two miles of Jonesville.

Your complainant alleges that her said husband, Oliver Carter, more than Three years ago, willfully deserted and abandoned your complainant, left the State, and now resides in New Mexico or Indiana, and refuses to return and live with your complainant. Said willful desertion and abandonment has continued for more than Three years, before the bringing of this suit.

Your complainant further alleges that she and her said husband last lived and cohabited together in this, Lee County, State of Virginia.

Your complainant alleges that she is entitled to a divorce avinculo matrimonii.

In tender consideration thereof, and being without remedy, save in a Court of equity. The prayer of your complainand is; that the said Oliver Carter, be made a party defendant to this bill, and answer the same, but not on oath, that being waived.

That an order of publication be made, posted and published against the defendant, who is a non resident; that the bonds of matrimony heretofore contracted and now existing between your complainant and the said defendant, be dissolved; and your complainant be granted an absolute divorce. And your complainant prays for all other and further relief generally, that the nature

of her case may require, or to equity will seem meet, and she will ever pray etc.

M. G. Ely P.Q.

[E.G.]

Cora - Carter Pef -

vs { Bill in Chancery

Oliver Carter Deft.

1908 2nd March Rules
Bill filed Spa.
not executed Deft.
being a non-resident
Contd for O.P.
" [illegible] Rules
O.P. Completed &
cause set for hear-
ing

Cora Carter, Plaintiff
(
vs.(In Chancery
(
(
Oliver Carter, Defendant.

This cause came on this day to be heard upon the bill of Complainant, depositions filed therewith, order of publication duly posted and published against xx the Defendant, who is a non-resident and was argued by counsel.

On consideration of which, it appearing at the Court that the allegation of Complainants said bill had been fully proved, it is ad-judged, ordered and decreed that the bonds of matrimony heretofore contracted and now existing between the Plaintiff and the Defendant be dissolved and the Plaintiff, Cora Carter be forever divorced from her said husband, the Defendant, Oliver Carter, avinculo matrimonii. And nothing furthere remaining to be done, the Plaintiff will pay the costs of this suit and the cause is stricken from the docket.

Cora Carter
vs {{ Decree -
Oliver Carter

Entered in C.O.B.
#8, page 371 &c

Enter this

H A W Shea

May 5 - 1908

The deposition of H.P.Dixon and Charles B. Bailey, taken taken before me, Geo. P. Cridlin, Commissioner in Chancery for the Circuit Court of Lee County, Virginia, at the law office of M.G.Ely, in the town of Jonesville, Va., to be read as evidence in behalf of the plaintiff in a certain suit in Chancery now depending in the Circuit Court of Lee County, Virginia, in which Cora Carter is plaintiff and Oliver Carter is defendant.

Present M. G. Ely attorney for plaintiff.

H. P. Dixon a witnese of lawful age being duly sworn deposes as follows:

Q.1.-- Please state your age, residence and occupation, and whether or not you are acquainted with the parties to this suit.

A.-- I am 62 years, reside near Jonesville, occupation Miller, I am acquainted with the parties to this suit, have known them at least five years.

Q.2.-- Please state where said parties now reside if you know.

A.-- Cora Carter lives in Lee County, and has for more than a year before the bringing of this suit. Oliver Carter left his wife something like four years ago and I have been informd that he lives in some of the western states. I do not know of any cause he had for leaveing his wife. He said when he left after his wife had had one child, that he could not afford to work and raise a family, and for that reason he would not live with his wife and left.

Q.3.-- State whether or no they last lived together in this County and State?

A.-- They did last live together in this County and State.

And further this deponent saith not.

Wit. Claim one day 50 cts H P Dixon

Charles B. Bailey another witness of lawful age being duly sworn deposes as follows:

Q.1 -- State your age, residence and occupation and whether

or not you know the parties to this suit.

A.-- I am 21 years old, reside in Jonesville, Va. and am a barber. and am acquainted with said parties.

Q.3.--If the same qauestion were asked you with reference to Oliver Carter leaving his wife and going west, that you have just heard asked Mr. Dixon, would you give the same answers?

A.-- Yes, I would.

And further this deponent saith not.

C. B. Bailey

Wit. claims one day 50 cts.

Virginia, Lee County, to-wit:

I, Geo.P.Cridlin, a Commissioner in Chancery for the Circuit Court of Lee County, Virginia do certify that the foregoing depositions of H.P.Dixon and Chas. B. Bailey, were taken sworn to and subscribed before me at the time. place and for the purpose in the caption mentioned.

Given under my hand this the 5th day of May, 1908.

Jo. P. Cridlin
Commissioner in Chancery.

Cora Carter

vs { In Chy.

Oliver Carter

Depositions

H. P. Dixon .50

C. B. Bailey .50

1.00

Filed May 5, 1908

T. E. Ewing, Clerk.

Comm. fee 75 cts

BOATRIGHT PRINTING CO., GATE CITY, VA.

In the Clerk's Office of the Circuit Court of the county of Lee, on the 4th day of March, 1908

Cora Carter, Plaintiff,
against
Oliver Carter, Defendant

In Chcy.

The object of this suit is to obtain a divorce a vinculo matrimonii, by the complainant from said defendant,

And an affidavit having been made and filed that the defendant Oliver Carter is a not resident of the State of Virginia, it is ordered that he do appear here within fifteen days after due publication hereof, and do what may be necessary to protect his interest in this suit. And it is further ordered that a copy hereof be published once a week for four weeks in the Jonesville Star and that a copy be posted at the front door of the Courthouse of this county as prescribed by law.

A copy—Teste:

W. G. Ely, p. q. H. C. T. Ewing, Clerk.

Cora Carter

vs. { ORDER OF PUBLICATION

Oliver Carter

Virginia, Lee County, to-wit:

I, L.C.D. Ewing, County Clerk for and in the County & State aforesaid, do certify that I posted a true copy of the within order of publication at the front door of the Court-house of said County on this day.

Given under my hand, this 14th day of March, 1908

L.C.D. Ewing,
Clerk.

In the Clerk's Office of the Circuit Court of the County of Lee, State of Va.

Cora Carter — Plaintiff

against

Oliver Carter — Defendant

In Chy.

This day M. G. Ely personally appeared before me S. C. D. Ewing Clerk of the said Court, and being duly sworn, made oath that I Oliver Carter defendant in the said suit is not a resident of the State of Virginia,

Given under my hand as Clerk of the said Court, this 4th day of March 1908.

S. C. D. Ewing, Clerk

Cora Carter

VS { AFFIDAVIT FOR ORDER OF PUBLICATION

Oliver Carter

W. G. Ely ------ p. q.

Filed Mch. 4, 1908.
H. C. P. Ewing,
Clerk.

The Commonwealth of Virginia,

To the Sheriff of the County of Lee, Greeting:

WE COMMAND YOU, That you summon Oliver Carter

to appear at the Clerk's office of the Circuit Court of the County of Lee, at rules to be held for the said court, on the 3rd Monday in March, 1908, to answer a bill in chancery exhibited against him in our said Court by Cora Carter

And have then there this writ. Witness, H. C. T. EWING, Clerk of our said Court, at the court-house, the 4th day of March, 1908, and 132 year of the Commonwealth.

A Copy, Teste: H. C. T. Ewing, Clerk

_____, Clerk

Cora Carter

VS { SUBPŒNA IN CHANCERY

Oliver Carter

W. L. Ely p. q.

To 2nd Mar. Rules

Lee Circuit Court

1908.

Order of Publication.

In the Clerk's Office of the Circuit Court of the county of Lee, on the 4th day of March, 1908.

CORA CARTER, Plaintiff,

against

OLIVER CARTER, Defendant.

In chancery.

The object of this suit is to obtain a divorce a vinculo matrimonii, by the complainant from said defendant. And an affidavit having been made and filed that the defendant, Oliver Carter, is not a resident of the State of Virginia, it is ordered that he do appear here within fifteen days after due publication hereof, and do what may be necessary to protect his interest in this suit. And it is further ordered that a copy hereof be published once a week for four weeks in the Jonesville Star and that a copy be posted at the front door of the Courthouse of this county as prescribed by law.

A copy—Teste:

H. C. T. EWING, Clerk.

M G. ELY, p. q.

Cora Custer

vs { in Chancery

Olin Custer

I, J. C. Boutwell, editor of The Jonesville Star, a weekly newspaper published in the county of Lee, state of Virginia, do hereby certify that the enclosed notice was published in said paper once a week for four successive weeks, commencing on the 12 day of March 1908

J. C. Boutwell, Editor.

FEE $ 3.00